

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED

2014 DEC 15 AM 10:59

EXHIBIT

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

TERRA PARTNERS, §
vs. §
PLAINTIFF, §
§ CIVIL ACTION CAUSE NUMBER
RABO AGRIFINANCE, INC. and AG § 2:08-CV-194-J
ACCEPTANCE CORPORATION, §
DEFENDANTS. §

ORDER

The Court has received the attached December 11, 2014, letter from counsel for Plaintiff Terra Partners, and other Veigel-related entities, stating that Defendant Ag Acceptance Corporation removed Plaintiffs' New Mexico state court lawsuit to federal court in New Mexico, and that Defendant Ag Acceptance Corp. intends to file a motion to transfer that removed federal suit to this Court. Pursuant to a sanctions order entered by the Fifth Circuit Court of Appeals, Plaintiff Terra Partners, *et al.* seek permission from this Court to file in the New Mexico federal court responses to the removal and the anticipated transfer motion. Counsel's letter further informs this Court that because the times for responses to the removal and the anticipated transfer motion is short, if counsel does not hear from this Court otherwise before responses become due, they may have to presume that this Court has concluded that the matters of removal and potential transfer have not been previously decided and that his clients may freely respond in federal court. The lack of an order granting or denying requested relief does not create a presumption that the Court has reached any decision regarding any of whether any matter has, or has not, been decided or addressed in earlier lawsuits. No such presumption is warranted.

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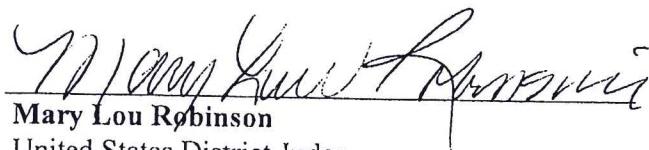
This Court has not concluded that the matters raised in the New Mexico litigation are not a collateral attack on this Court's judgments. Further, this Court has not concluded that the current New Mexico litigation filed by Terra Partners, Steve Veigel, and other Veigel-related entities or affiliates, do or do not raise the same void *ab initio* arguments, petitions for bills of review, or other collateral attacks on the judgments of this Court.

However, in the interests of justice this Court does not object to the Plaintiffs in the New Mexico litigation filing pleadings or other documents in federal court there, filed on behalf of Steve Veigel, his affiliates or related entities, including Terra Partners, that are directed solely to the issues of removal of the New Mexico state court suit and/or transfer of that suit to this Court.

The Clerk of this Court is to send copies of this Order to counsel for Plaintiffs and for Defendant Ag Acceptance Corporation in the New Mexico lawsuit.

It is SO ORDERED.

Signed this the 15^b day of December, 2014.


Mary Lou Robinson
United States District Judge